

1 TIMOTHY S. MENTER, ESQ.  
Nevada Bar No: 007091  
2 **MENTER & WITKIN**  
19900 MacArthur Blvd., Suite 800  
3 Irvine, California 92612  
Telephone: 949-250-9000  
4 Facsimile: 949-250-9045  
*Attorneys for Real Party in Interest Latigo*  
5 *Condominium Unit-Owners' Association, Inc.*  
  
6 SCOTT K. CANEPA, ESQ.  
Nevada Bar No. 004556  
7 MICHAEL C. RUBINO, ESQ.  
Nevada State Bar No. 005758  
8 **CANEPA RIEDY & RUBINO**  
851 South Rampart Boulevard, Suite 160  
9 Las Vegas, Nevada 89145-4885  
Telephone: 702-304-2335  
10 Facsimile: 702-304-2336  
*Attorneys for Real Party in Interest Latigo*  
11 *Condominium Unit-Owners' Association, Inc.*

12 **UNITED STATES DISTRICT COURT**

13 **IN AND FOR THE DISTRICT OF NEVADA**

15 STEADFAST INSURANCE COMPANY,	No. 2:11-cv-00393-JCM-CWH
16 Plaintiff,	<b>JOINT STIPULATION AND ORDER TO</b>
17 vs.	<b>DISMISS ACTION</b>
18 RLI INSURANCE COMPANY, and DOES	
19 1 through 10, inclusive,	
20 Defendants.	

22       Whereas a settlement has been reached between Real Party in Interest Latigo  
23 Condominium Unit-Owners' Association, Inc. ("Latigo") and Defendant RLI Insurance Company  
24 ("RLI"), and subject to the settlement agreement between the parties, the parties hereby stipulate  
25 and agree as follows:

26       IT IS HEREBY STIPULATED and agreed by and between Latigo and RLI and Plaintiff  
27 Steadfast Insurance Company, by and through their respective undersigned counsel, that this  
28 action shall be dismissed with prejudice as to RLI and otherwise without prejudice pursuant to

1 Fed. R. Civ. P. 41(a)(1)(A)(ii) and subject to the settlement agreement between the parties and  
2 that such dismissal shall not operate as an adjudication on the merits relative to the claims at issue  
3 in this action. The dismissal of this action shall not form the basis of any claim for attorney fees  
4 or costs, with each side to bear its own fees and costs.

5  
6 DATED: September 15, 2011

CANEPA, REIDY & RUBINO

7  
8 By: /s/ Michael C. Rubino  
Michael C. Rubino, Esq.  
9 Attorneys for Real Party in Interest  
Latigo Condominium Unit-Owners  
10 Association, Inc.

11 DATED: September 15, 2011

MORALES, FIERRO & REEVES

12  
13 By: /s/ Ramiro Morales  
14 Ramiro Morales, Esq.  
15 Attorneys for Plaintiff Steadfast  
Insurance Company

16 DATED: September 15, 2011

MORISON, HOLDEN, DEREWETZKY &  
PROUGH, LLP

17  
18  
19 By: /s/ Marc J. Derewetzky  
20 Marc J. Derewetzky, Esq.  
21 Attorneys for Defendant RLI Insurance  
Company

22 **ORDER**

23 Based on the foregoing Stipulation, and good cause appearing therefore, IT IS HEREBY  
24 ORDERED that the above-entitled action shall be dismissed with prejudice as to RLI and  
25 otherwise without prejudice pursuant to Fed. R.Civ. P. 41(a)(1)(A)(ii).

26 DATED: September 27, 2011

27   
28 UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

In accordance with Fed. R. Civ. P. 5, I certify that I am an employee of Menter & Witkin, whose address is 19900 MacArthur Boulevard, Suite 800, Irvine, CA 92612, and that on the 16<sup>th</sup> day of September, 2011, a copy of the foregoing **JOINT STIPULATION AND ORDER TO DISMISS ACTION** was served on the parties by filing and serving the same using the ECF system or by United States mail, postage prepaid, as follows:

Attorney for Plaintiff Steadfast Insurance Company

Ramiro Morales, Esq.  
Morales Fierro & Reeves  
725 South Eighth Street, Suite B  
Las Vegas, NV 89101

Co-Counsel for Real Party in Interest Latigo Condominium Unit-Owners Association, Inc.

Scott K. Canepa, Esq.  
Michael C. Rubino, Esq.  
Canepa Riedy & Rubino  
851 South Rampart Boulevard, Suite 160  
Las Vegas, NV 89145-4885

Attorney for Defendant RLI Insurance Company

William C. Morison  
Marc J. Derewetzky  
Morison Holden Derewetzky & Prough LLP  
1550 Parkside Drive, Third Floor  
Walnut Creek, CA 94596

David Mincin  
Law Office of Richard McKnight, P.C.  
330 South Third Street, Suite 900  
Las Vegas, NV 89101

I declare under penalty of perjury that the above is true and correct. Executed on September 16, 2011.

  
Lynda McNally